Plaintiff Rests In Libel Suit

S-1 7/28/70

Attorneys for Vial J. Blanke Sr. rested their case today in the $300,000 libel suit against Time Inc. following testimony by Life Magazine writer David Chandler.

Federal District Judge Alvin B. Rubin began hearing defense testimony this afternoon.

Blanke accused Life of libeling him in a Sept. 8, 1967, article which alleged organized crime in Louisiana. The story, to which Chandler contributed, included a photograph of Blanke and Joseph Armenio, operator of the Mist Restaurant and Lounge in Jefferson Parish and an alleged associate of reputed Mafia boss Carlos Marcello.

THE PICTURE showed Blanke conferring with Armenio at the restaurant, with a caption alleging that the two were discussing campaign contributions to Vincent Ebeier, a candidate for Jefferson Parish sheriff in the 1967 Democratic primary.

A motion by Time Inc. attorney Robert Winn for a dismissal on grounds of insufficient evidence was taken under advisement by Judge Rubin.

Chandler, questioned by Nathan Greenberg, counsel for Blanke, said his duties for Life during June, July and August of 1967 were to investigate manifestations of organized crime, including political corruption, in Louisiana and southern Mississippi.

Greenburg asked Chandler if he was told where to go in seeking this information. He said his only specific instructions were in regard to photographs.

"Was Vial Blanke's name on the list?" Greenberg asked.

CHANDLER SAID it was not, adding he had never heard of Blanke prior to observing him at Armenio's restaurant the day the picture was taken.

Earlier testimony today included a written deposition by Armenio which claimed Blanke was conferring with him only as a liquor salesman and not as a solicitor of campaign funds.

Blanke also had never solicited funds for his own campaign for the Jefferson Parish Council or for any other campaign, Armenio's statement said.

Armenio admitted he was convicted of manslaughter in Bossier City "around 1933" in connection with the shooting deaths of two men. He said he was given a full pardon and restoration of his citizenship by Gov. Sam Jones in 1941.

Armenio's deposition was necessitated when he reportedly left for Italy to visit the graves of his parents.

EARLIER TODAY, Ebeier and Douglas A. Allen, a 1967 candidate for parish president in Jefferson, testified Blanke was not a candidate on their ticket. David Martin testified Blanke was a salesman for his firm, Martin's Wine Cellar, at the time the Life picture was taken.

The picture showed Blank and Armenio at a table in th restaurant, located in a mot on Highway 90 about sev miles west of the Mississip River.

Life writer David Chandl was one of the authors of th article.

YESTERDAY, BLANKE tes tified he was in the resta rant solely to solicit wine or ders and that he did not dis cuss campaign funds. Earlier, Chandler said he heard Armenio and Blanke discussing funds for Ebeier's race.

Asked by his attorney, Nathan Greenberg, if he had ever had any business connections with Marcello, Blanke replied:

"None whatsoever."

Blanke said that in 1964 he and another person were in the laundry business and that he co-signed a note for his partner to get a $1,500 loan from Marcello.

UNDER CROSS-examination by Robert Winn, attorney for Time, Blanke admitted photographs taken at the Mist restaurant do not show him carrying any papers or books which would have been used to take orders.

Blanke denied he ever has gone to the restaurant to see Marcello and said he never knew Marcello frequented the place.

Chandler testified Blanke asked Armenio how the collections for Ebeier were coming, and Armenio replied, "fine." Chandler said Armenio then added, "How about you? We need money from you."

The two men continued to take about Ebeier's chances but when they took seats at a table their conversation became inaudible, Chandler said.